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09/900,391	07/06/2001	Michael L. Obradovich	9800.1020	7196

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EXAMINER	
ROSWELL, MICHAEL	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 02/24/2004 5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/900,391	OBRADOVICH, MICHAEL L.	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *21-84* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *21-84* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed July 6, 2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 21-23, 25, 27, 29-34, 36-40, 42, 43-45, 48, 50-64, 66, 68-73, 75, 76, 79, and 81-84 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshida (U.S. Patent 5,699,056).

In regards to claims 21 and 61, Yoshida describes a "navigation system" in a vehicle for displaying a map and path on the map, and includes a processor for obtaining information pertinent to the position and surroundings of the vehicle (Column

11, Lines 15-21). Yoshida further describes the obtaining of weather information and display of indicators relative to weather conditions along the path (Column 42, Lines 13-18).

In regards to claims 22 and 62, Yoshida places the weather condition indicator on the map over the area that the weather is affecting (Column 42, Lines 15-17).

In regards to claims 23 and 63, Yoshida includes the use of a GPS system for receiving data relevant to the position of the car (Column 11, Lines 27-32).

In regards to claims 25, 42, 64, and 75, Yoshida describes reporting information to a user about adverse traffic conditions (Column 41, Lines 48-57 and Column 42, Lines 6-10). Yoshida allows for the reporting of weather conditions in the same manner (Column 42, Lines 11-28).

In regards to claims 27 and 66, Yoshida teaches the indication of rainy weather on the display of the navigation system (Column 42, Lines15-17).

In regards to claim 29, Yoshida receives information through wireless radio wave transmission facilities (Column 11, Lines 32-34).

In regards to claim 30, Yoshida provides for the receipt of information through a laser radar system (Column 10, Lines 38-46).

In regards to claim 31, Yoshida teaches the use of a GPS satellite to provide relevant information to the vehicle (Column 11, Lines 28-32).

In regards to claims 32 and 68, Yoshida describes a "navigation system" in a vehicle for displaying a map and path on the map, and includes a processor for obtaining information pertinent to the position and surroundings of the vehicle (Column

11, Lines 15-21). Yoshida further discloses the obtaining of traffic information and the display of indicators relevant to traffic conditions in the area displayed by the navigation system map (Column 41, Lines 48-57).

In regards to claims 33 and 69, Yoshida teaches the display of the traffic indicators on top of the area of the map affected by the traffic (Column 41, Lines 58-60, and Figures **65** and **66**).

In regards to claims 34 and 70, Yoshida teaches the use of a GPS satellite to provide relevant information to the vehicle (Column 11, Lines 28-32).

In regards to claims 36 and 71, Yoshida teaches the display of traffic jam information (Column 41, Lines 64-67, and Figure **68**).

In regards to claim 37, Yoshida receives information through wireless radio wave transmission facilities (Column 11, Lines 32-34).

In regards to claim 38, Yoshida provides for the receipt of information through a laser radar system (Column 10, Lines 38-46).

In regards to claims 39 and 72, Yoshida shows on the display the location of the vehicle as a first indicator (Column 42, Lines 16-17). Yoshida also provides an interface, in the form of a touch switch, for enlarging or reducing the area of a map to be displayed (Column 12, Lines 8-13), and processes (Column 11, Lines 15-21) and displays, as a second indicator, obtained information relative to weather conditions on the map (Column 42, Lines 13-28).

In regards to claims 40 and 73, the weather indicator is located on the area of the map affected by that weather condition (Column 42, Lines 13-28).

In regards to claim 43, touch switches indicate the type of conditions available to be displayed by the navigation system (Column 11, Lines 59-61).

In regards to claim 44, Yoshida includes voice output to relay relevant information to the user (Column 41, Lines 48-52).

In regards to claim 45 and 76, Yoshida provides a selectable third indicator for displaying a plurality of weather conditions on the map (Column 42, Lines 22-28).

In regards to claim 48 and 79, the second indicator may be indicative of rainy conditions (Column 42, Lines 13-18).

In regards to claim 50, Yoshida receives information through wireless radio wave transmission facilities (Column 11, Lines 32-34).

In regards to claim 51, Yoshida provides for the receipt of information through a laser radar system (Column 10, Lines 38-46).

In regards to claim 52, Yoshida teaches the use of a GPS satellite to provide relevant information to the vehicle (Column 11, Lines 28-32).

In regards to claims 53 and 81, Yoshida teaches the display of a vehicle indicator, or first indicator, on a map to show the vehicle location (Column 11, Lines 15-21), and provides a selectable interface, in the form of a touch switch, for displaying different area of a map (Column 12, Lines 8-13). Yoshida also teaches a processor for obtaining information (Column 11, Line 18) and providing indication of traffic conditions (Column 41, Lines 48-67), or a second indicator.

In regards to claims 54 and 82, Yoshida displays the secondary indicator of traffic information on the map in a relevant position (Column 42, Lines 1-5).

In regards to claim 55, touch switches indicate the type of conditions available to be displayed by the navigation system (Column 11, Lines 59-61).

In regards to claim 56, Yoshida includes voice output to relay relevant information to the user (Column 41, Lines 48-52).

In regards to claims 57 and 83, Yoshida provides a selectable third indicator for displaying a plurality of traffic conditions on the map (Column 41, Lines 53-57).

In regards to claims 58 and 84, Yoshida displays information on the map indicative of the nature of a relevant traffic jam (Column 41, Lines 64-67).

In regards to claim 59, Yoshida receives information through wireless radio wave transmission facilities (Column 11, Lines 32-34).

In regards to claim 60, Yoshida provides for the receipt of information through a laser radar system (Column 10, Lines 38-46).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 26, 28, 47, 49, 65, 67, 78, and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida.

Yoshida has been shown *supra* to display an indicator representative of rainy weather conditions in all claimed embodiments of the invention. Yoshida teaches the

display of weather indicators, and includes snow and ice as specifically displayed conditions (Column 42, Lines 18-28). It is well known that weather conditions that may be monitored and displayed on a map exist, such as sleet, hail, fog, cloudy skies, and strong winds. The examiner takes OFFICIAL NOTICE of these teachings. Therefore, it would have been obvious to include any of the undisclosed weather conditions into the weather display of Yoshida in order to further aid the driver of the vehicle or user of the system in planning their route.

Claims 24 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida and Beckert et al (U.S. Patent 5,794,164).

Yoshida describes a "navigation system" in a vehicle for displaying a map and path on the map, and includes a processor for obtaining information pertinent to the position and surroundings of the vehicle (Column 11, Lines 15-21). Yoshida further describes the obtaining of weather information and display of indicators relative to weather conditions along the path (Column 42, Lines 13-18). Yoshida further discloses the obtaining of traffic information and the display of indicators relevant to traffic conditions in the area displayed by the navigation system map (Column 41, Lines 48-57).

The difference between the claims and Yoshida is the claims recite the use of a liquid crystal display for the display of information to the user.

Beckert et al teach a vehicle computer system that incorporates a navigation system with GPS technology and a map application similar to the navigation system of

Yoshida. Beckert et al further teach the use of an LCD screen for displaying relevant information to the user (Column 7, Lines 49-50).

It would have been obvious to one of ordinary skill in the art, having the teachings of Yoshida and Beckert et al before him at the time of the invention to modify the navigation system of Yoshida to include the LCD display of Beckert et a to obtain a vehicle navigation system wherein the display is a LCD display.

One would have been motivated to make such a combination for the advantage of backlighting, enabling the user to view the navigation screen without an overhead light source. See Beckert et al, Column 4, Lines 56-58.

Claims 41, 46, 74, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida and Holzel (U.S. Patent 5,178,010).

Yoshida shows on the display the location of the vehicle as a first indicator (Column 42, Lines 16-17). Yoshida also provides an interface, in the form of a touch switch, for enlarging or reducing the area of a map to be displayed (Column 12, Lines 8-13), and processes (Column 11, Lines 15-21) and displays, as a second indicator, obtained information relative to weather conditions on the map (Column 42, Lines 13-28).

Yoshida fails to teach the selection of a specific time in displaying weather conditions on the map.

Holzel describes a system for displaying current weather conditions (in this case barometric pressure), where the weather condition history may be selectively view by

the time of occurrence (Column 5, Lines 16-19). Holzel further allows for the display of temperature as well as pressure (Column 7, Lines 32-35).

It would have been obvious to one of ordinary skill in the art, having the teachings of Yoshida and Holzel before him at the time of the invention to modify the weather display of Yoshida to include the selectable weather history of Holzel in order to obtain a in-vehicle display where past weather conditions can be viewed on the display over the areas they occurred, at a user selected time or time frame.

One would be motivated to make such a combination for the advantage of indicating to the user the frequency or duration of specific kinds of weather conditions, including temperature, in an area, allowing the user to adjust their route accordingly. See Holzel, Column 2, Lines 62-67.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (703) 305-5914. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CAO (KEVIN) NGUYEN
PRIMARY EXAMINER

Michael Roswell
2/18/2004